

APPENDIX 4 - SPECIFIC REQUIREMENTS

The specific requirements are requirements that the grantee will be responsible for under the Grant Agreement, when funding is awarded.

A. CONFLICT OF INTEREST

All participants are subject to State and Federal conflict of interest laws. Failure to comply with these laws, including business and financial disclosure provisions, will result in the application being rejected and any subsequent grant agreement being declared void. Other legal action may also be taken. Before submitting an application, applicants are urged to seek legal counsel regarding conflict of interest requirements. Applicable statutes include, but are not limited to, California Government Code Section 1090, California Public Contract Code Sections 10410 and 10411.

B. CONFIDENTIALITY

Once the proposal has been submitted to Division of Boating and Waterways, any privacy rights as well as other confidentiality protections afforded by law with respect to the application package will be waived.

C. CEQA COMPLIANCE

All projects funded under the Division of Boating and Waterways Quagga and Zebra Mussel (dreissenid mussel) Infestation Prevention Grant Program must comply with the California Environmental Quality Act (CEQA) (PRC § 21000 *et seq.*) and/or National Environmental Policy Act (NEPA). Links to CEQA information and the State Clearinghouse Handbook are provided below.

Environmental Information:

<http://ceres.ca.gov/index.html>

California State Clearinghouse Handbook:

http://opr.ca.gov/docs/SCH_Handbook_2012.pdf

CEQA Guidelines:

http://ceres.ca.gov/topic/env_law/ceqa/guidelines/

Grantees are responsible for complying with all applicable laws and regulations for their projects, including CEQA and NEPA, if applicable. The Division of Boating and Waterways selection of a project for a grant does not foreclose appropriate consideration of alternatives or mitigation measures that would reduce or eliminate adverse environmental effects of that project during the CEQA review process. No work that is subject to CEQA and/or NEPA may proceed until clearance is given by the California State Parks, a responsible agency. Details about the Division of Boating and Waterway environmental review process can be found in the California State Clearinghouse Handbook - Environmental Review Process (Appendix 3 of [2014 QZ Mussel Prevention Grant Application](#) webpage).

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E. RELATED LITIGATION

Grant agreements funded by the Division of Boating and Waterways will specify the following:

Under no circumstances may a Grantee use funds from any disbursement under this Grant Agreement to pay costs associated with any litigation the Grantee pursues against the Division of Boating and Waterways. Regardless of the outcome of any such litigation, and notwithstanding any conflicting language in this agreement, the Grantee agrees to complete the Project funded by this agreement or to repay all of the grant funds plus interest.

H. DATA MANAGEMENT

Projects must include appropriate data management activities so that project data can be incorporated into appropriate statewide data systems. Project-generated data will be available to the stakeholders, agencies, and the public. Project data format will be determined at a later date by the California State Parks, Division of Boating and Waterways.

I. GRANT MANAGER NOTIFICATION

Grantees will be required to notify the Robin Turgeon (Robin.Turgeon@parks.ca.gov) Division of Boating and Waterways who oversees their agreements prior to conducting any construction, monitoring, demonstration, or other implementation activities in order to allow Water Boards staff to observe and verify that activities are conducted in accordance with the grant agreement. Division of Boating and Waterways staff may document the inspection with photographs, digital media (including, but not limited to moving images and audio) or notes, which may be included in the project file.

J. WATER CONSERVATION AND EFFICIENCY PROGRAMS

Grantees are required to demonstrate progress towards developing appropriate water conservation and efficiency measures as a condition of the grant award. A web link to the California Water Action Plan that identifies examples of water conservation and efficiency approaches is available [here](#).